The Orthosol was alleged to be misbranded in that the statements, "Antiseptic * * * For household uses such as insect bites, stings, use 1 teaspoonful Orthosol to 2 quarts of water. * * * Douches or Injections—Use 1 teaspoonful of McClellan's Orthosol Disinfectant to 2 quarts of warm water", borne on the label, were false and misleading, since they represented that the article was antiseptic when used as directed; whereas it was not antiseptic when used as directed. Misbranding of the Sheep Dip was alleged for the reason that certain statements regarding its therapeutic and curative effects, borne on the label, falsely and fraudulently represented that it was effective as a treatment for ailments of poultry.

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1406, published under that act.

On September 18, 1935, the defendant entered a plea of nolo contendere and was placed on probation for 2 years with the usual conditions.

W. R. GREGG, *Acting Secretary of Agriculture.*

24655. Misbranding of Cheney's Compound Herbs. U. S. v. G. S. Cheney Co., Inc. Plea of nolo contendere. Fine, $50. (F. & D. no. 33958. Sample no. 71820–A.)

This case was based on an interstate shipment of a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On April 9, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the G. S. Cheney Co., Inc., Boston, Mass., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about February 28, 1934, from the State of Massachusetts into the State of Maine of a quantity of Cheney's Compound Herbs which were misbranded.

Analysis showed that the article consisted of coarsely ground drugs, including pipsissewa, cascara, yellow dock, dandelion, prickly-ash, sassafras, sarsaparilla, red clover, and gentian.

The article was alleged to be misbranded in that certain statements borne on the packages, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented that it was effective as a blood purifier, effective to keep the blood pure, effective to promote good health; and effective as a thorough systematic cleanser.

On April 29, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of $50.

W. R. GREGG, *Acting Secretary of Agriculture.*

24656. Misbranding of Reade's Antiseptic Animal Soap. U. S. v. Reade Manufacturing Co., Inc. Plea of guilty. Fine, $50. (F. & D. no. 34002. Sample no. 16780–B.)

This case involved a product the labeling of which contained unwarranted curative and therapeutic claims.

On June 17, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Reade Manufacturing Co., Inc., Jersey City, N. J., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about October 16, 1934, from the State of New Jersey into the State of New York of a quantity of Reade's Antiseptic Animal Soap which was misbranded.

Analysis showed that the article consisted of water, soap, phenolic bodies, essential oils, and paradichlorobenzene.

The article was alleged to be misbranded in that certain statements in the labeling falsely and fraudulently represented that it was effective to keep the skin and coat in a healthy condition, as helpful in preventing skin troubles, and as helpful in preventing eczema.

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1313, published under that act.

On September 17, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed fines on both charges, the fine on the count charging violation of the Food and Drugs Act being $50.

W. R. GREGG, *Acting Secretary of Agriculture.*

24657. Misbranding of Dr. Fellows' Headache Powders. U. S. v. Albert H. Clark (Clark Medicine Co.). Plea of nolo contendere. Fine, $10. (F. & D. no. 33986. Sample no. 68364–A.)

This case was based on an interstate shipment of a drug preparation which was misbranded because of false and fraudulent curative claims appearing in

the labeling. The product was further misbranded since it contained less caffeine than declared; it contained acetanilid in excess of the amount declared, and it was not a safe remedy as claimed, since it contained excessive acetanilid which might be harmful.

On May 13, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Albert H. Clark, trading as the Clark Medicine Co., Newburyport, Mass., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 15, 1934, from the State of Massachusetts into the State of New Hampshire, of a quantity of Dr. Fellows' Headache Powders which were misbranded. The article was labeled in part: "Each Powder contains two grains Acetanilide."

Analysis showed that the article consisted essentially of acetanilid (not less than 40.3 percent or 2.8 grains per powder of average weight), caffeine (not over 8.86 percent or 0.62 grain per powder of average weight) sodium bicarbonate, and ground plant material including ginger.

The article was alleged to be misbranded in that certain statements regarding its therapeutic and curative effects, appearing on the labels and in a circular shipped with the article, falsely and fraudulently represented that it was effective as a remedy for sick or nervous headache, and cough; effective as a treatment, remedy, and cure for rheumatism and la grippe; and effective to act freely on the kidneys and as a powerful heart tonic and stimulant; effective to strengthen and sustain the heart; effective to give immediate relief in sick or nervous headache, monthly pains, rheumatism and la grippe; and effective as a relief of pain. Misbranding was alleged for the further reason that the statements, (circular) "Each powder contains ¾ grain * * * caffeine" and "We guarantee them to be absolutely safe for any one to take under any circumstances" (envelop) "A * * * Safe Remedy * * * These powders * * * are warranted safe for any one to take as directed * * * Each powder contains two grains Acetanilide, U. S. P., which combined with other ingredients makes it a safe * * * remedy", were false and misleading in that the said statements represented that the powders each contained ¾ grain of caffeine and 2 grains of acetanilid; that it was a safe remedy and was absolutely safe for anyone to take under any circumstances; whereas each powder contained less than ¾ grain of caffeine and contained more than 2 grains of acetanilid, the article was not a safe remedy, was not safe to be used as directed, and was not absolutely safe for anyone to take under any circumstances, since it contained an excessive amount of acetanilid which rendered it unsafe as a remedy, unsafe to be used as directed, and not safe for any one to take under any circumstances.

On June 10, 1935, the defendant entered a plea of nolo contendere and the court imposed a fine of $10.

W. R. GREGG, *Acting Secretary of Agriculture.*

24658. Misbranding of Holbrook's India Koff Kure, and adulteration and misbranding of Holbrook's Concentrated Extract Vanilla Flavor. U. S. v. Folsom Extract Co., Inc. Plea of nolo contendere. Fine, $10. (F. & D. no. 33981. Sample nos. 68319–A, 68324–A.)

This information covered a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling, and because of failure to declare the alcohol and chloroform content; also a lot of vanilla flavor which was adulterated and misbranded, since it consisted of a hydroalcoholic solution of vanillin, artificially colored, containing little, if any, vanilla, and was labeled to indicate that it was high-grade vanilla extract flavor.

On June 18, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Folsom Extract Co., Inc., Lynn, Mass., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 5, 1934, from the State of Massachusetts into the State of New Hampshire of a quantity of Holbrook's India Koff Kure which was misbranded, and alleging shipment on or about February 1, 1934, from the State of Massachusetts into the State of New Hampshire of a quantity of Holbrook's Concentrated Extract Vanilla Flavor which was adulterated and misbranded. The articles were labeled in part: "Prepared by Holbrook & Co. Manufacturing Chemists Lynn, Mass."